

1 GENERAL GOVERNMENT CABINET

2 Board of Alcohol and Drug Counselors

3 (Amendment)

4 201 KAR 35:070. Supervision experience.

5 RELATES TO: KRS 309.0814, 309.083(4), 309.0831, 309.0832, 309.0833, 309.0841,
6 309.0842

7 STATUTORY AUTHORITY: KRS 309.0813(1), (3), (5), 309.0814(1), 309.083(3),
8 309.0831(3), 309.0832(10), 309.0833(2), 309.086

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.0813(1) requires the board
10 to promulgate administrative regulations for the administration and enforcement of KRS 309.080
11 to 309.089. KRS 309.0813(3) requires the board to approve or disapprove those persons who shall
12 be credentialed. This administrative regulation establishes the standards for the accumulation of
13 required supervised work experience.

14 Section 1. (1)(a) Peer Support Specialist Supervision. Peer support specialist supervision
15 shall continue throughout the period of registration. The supervision shall include the four (4)
16 following domains:

- 17 1. Advocacy;
18 2. Ethical Responsibility;
19 3. Mentoring and Education; and
20 4. Recovery and Wellness Support.

(b) A supervisor of a peer support specialist shall complete and submit KBADC Form 8, Peer Support Specialist Verification of Supervision, that documents the twenty-five (25) hours of direct supervision.

(2) Clinical Supervision for Certification and Licensure Applicants. Clinical supervision shall ~~[consist of at least 300 hours and shall]~~ include a minimum of ten (10) hours in each of the following four (4) domains~~[twelve (12) core functions]~~:

(a) Screening assessment and engagement~~[Screening]~~;

(b) Treatment planning, collaboration, and referral~~[Intake]~~;

(c) Counseling; and~~[Client orientation]~~;

(d) Professional and ethical responsibilities~~[Assessment]~~;

~~(e) Treatment planning;~~

~~(f) Counseling;~~

~~(g) Case management;~~

~~(h) Crisis intervention;~~

~~(i) Client education;~~

~~(j) Referral;~~

~~(k) Reports and recordkeeping; and~~

~~(l) Consultation].~~

(3) Clinical supervision shall meet the minimum requirements of the following:

(a) For applicants with a high school diploma or high school equivalency diploma requires 300 hours of clinical supervision with a minimum of ten (10) hours in each domain listed in subsection (2);

1 (b) For applicants with an associate's degree in a relevant field requires 250 hours of
2 clinical supervision with a minimum of ten (10) hours in each domain;

3 (c) For applicants with an bachelor's degree in a relevant field requires 200 hours of clinical
4 supervision with a minimum of ten (10) hours in each domain; and

5 (d) For applicants with an master's degree or higher in a relevant field requires 100 hours
6 of clinical supervision with a minimum of ten (10) hours in each domain.

7 (4)(a) Clinical supervision may occur in individual or in group settings.

8 (b) The methods of clinical supervision include:

9 1. Face-to-face;

10 2. Video conferencing; or

11 3. Teleconferencing.

12 ~~[(4) A minimum of 200 hours of clinical supervision shall be conducted face-to-face in an~~
13 ~~individual or group setting.]~~

14 (5) Supervision that exceeds two (2) hours in a single day shall be accompanied by a written
15 explanation justifying the length of supervision exceeding two (2) hours.

16 (6) Clinical supervisors shall complete and submit KBADC Form 13, Verification of
17 Clinical Supervision, which documents the required[300] hours of supervision that has occurred
18 during the work experience, in the Application for Certification as an Alcohol and Drug Counselor,
19 Application for Licensure as a Clinical Alcohol and Drug Counselor Associate, or Application for
20 Licensure as a Clinical Alcohol and Drug Counselor, which are incorporated by reference in 201
21 KAR 35:020 .

22 (7)[(6)] For applicants applying for licensure who already possess a certified alcohol and
23 drug counselor credential[If the applicant qualifies for licensure], supervision obtained under KRS

309.083 prior to February 5, 2016 shall be calculated toward the 100[300] hour supervision requirement under KRS 309.0832(3)[(40)] and section (3)(d) of this regulation.

Section 2. Except as provided by Section 1(6) of this administrative regulation, a supervisory arrangement shall have the prior approval of the board, with both supervisor and supervisee submitting a Supervisory Agreement to the board. The supervisor and supervisee shall also submit to the board the description of the supervisory arrangement or a change in the supervisory arrangement at least thirty (30) days prior to the effective date of the arrangement or change unless extenuating circumstances prevent the submission [~~the thirty (30) day requirement~~].

Section 3. (1) All supervision requirements shall:

(a) Be met with face-to-face individual or group weekly contact between supervisor and supervisee except as provided in subsection (2) of this section and Sections 13 and 14 of this administrative regulation;

(b) Consist of not less than two (2) hours, two (2) times a month in the practice of alcohol and drug counseling; and

(c) Include additional supervision sessions, as needed.

(2) An alternative format of supervision, including two (2) way interactive video, may be substituted for the supervisory contact, required by subsection (1) of this section, upon specific approval by the board for certain types of circumstances, such as distance, weather, or serious injury or illness of the supervisor or supervisee.

(3) Upon a change of supervisor, a new plan for supervision shall be submitted by the supervisor and supervisee to the board for approval. This plan may require additional hours of supervision than was previously approved by the board.

(4) Upon termination of the supervisor-supervisee relationship, the final report of supervision shall be submitted to the board within thirty (30) days of the termination.

Section 4. (1)(a) A certified alcohol and drug counselor or licensed clinical alcohol drug counselor shall submit a Form 4, Request to Provide Supervision, to become approved by the board to provide supervision.

(b) A certified alcohol and drug counselor who has at least two (2) years of post-certification experience, including Alcohol and Drug Counselor credentials transferred through reciprocity, and has attended the board-sponsored supervision training may be approved by the board to provide supervision~~[or licensed clinical alcohol and drug counselor who has been approved by the board as a supervisor shall attend a board approved training session in supervisory practices within twelve (12) months of obtaining approval as a supervisor]~~.

(c) A licensed clinical alcohol and drug counselor who has at least twelve (12) months of post-licensure experience, including Advanced Alcohol and Drug Counselor credentials transferred through reciprocity, or has attended the board-sponsored supervision training.

(2) A board approved supervisor shall obtain a minimum of three (3) continuing education hours in supervision theory or techniques in each three (3) year renewal cycle. The board shall suspend its approval of a supervisor if the supervisor does not complete the required continuing education.

(3) A certified alcohol and drug counselor or licensed clinical alcohol and drug counselor shall not be the supervisor of record for more than twenty-five (25)~~[twelve (12)]~~ supervisees.

(4) A licensed clinical alcohol and drug counselor associate shall only be supervised by a licensed clinical alcohol and drug counselor.

1 Section 5. (1) The supervisor shall make all reasonable efforts to be assured that each
2 supervisee's practice is in compliance with this administrative regulation.

3 (2) The supervisor shall report to the board an apparent violation of KRS 309.086 on the
4 part of the supervisee.

5 (3) The supervisor shall inform the board immediately of a change in the ability to
6 supervise or in the ability of a supervisee to function in the practice of alcohol and drug counseling
7 in a competent manner.

8 (4) The supervisor shall control, direct, or limit the supervisee's practice to insure that the
9 supervisee's practice of alcohol and drug counseling is competent.

10 (5) The supervisor of record shall be responsible for the practice of alcohol and drug
11 counseling or peer support services provided by the supervisee. If the board receives a
12 complaint~~[initiates an investigation]~~ concerning a supervisee, the board shall notify the supervisor
13 of record~~[investigation shall include the supervisor of record]~~.

14 (6) For each certificate or license holder~~[person]~~ supervised, the supervisor shall maintain
15 a KBADC Form 13, Verification of Clinical Supervision, for each supervisory session that shall
16 include the domain covered, date of session, length of session, and method of supervision~~[type,~~
17 ~~place, and general content]~~ of the session. For each registrant supervised, the supervisor shall
18 maintain a KBADC Form 8, Peer Support Specialists Verification of Supervision Form, for each
19 supervisory session that shall include the date, length, method, and domain covered during the
20 session. This record shall be maintained for a period of not less than six (6) years after the last date
21 of supervision.

1 Section 6. (1) The supervisor of record shall submit the Supervisor Log for each supervisee
2 to the board on an annual basis with a KBADC Form 14, Supervision Annual Report or as directed
3 otherwise by the board.

4 (2) The report shall include:

5 (a) A description of the frequency, format, and duration of supervision;

6 (b) An assessment of the functioning of the supervisee, including the strengths and
7 weaknesses; and

8 (c) Other information which may be relevant to an adequate assessment of the practice of
9 the supervisee.

10 Section 7. (1) If a supervisee has more than one (1) board-approved supervisor, the
11 supervisors shall be in direct contact with each other at least once every six (6) months, and they
12 shall provide supervisory plans and reports to the board and copies to each other.

13 (2) A request to have more than two (2) supervisors at one (1) time shall require a written
14 request to the board, which shall include detailed information as to how the supervisors shall
15 communicate and coordinate with each other in providing the required supervision.

16 Section 8. If the supervisee is a licensed clinical alcohol and drug counselor associate, [~~or~~
17 ~~an applicant for a certificate as]~~ a temporary certified alcohol and drug counselor, certified alcohol
18 and drug counselor associate I, or certified alcohol and drug counselor associate II, the supervisor
19 of record shall:

20 (1) Review all alcohol and drug assessments and treatment plans;

21 (2) Review progress notes and correspondence on a regular basis to assess the competency
22 of the supervisee to render alcohol and drug services;

(3) Jointly establish with the supervisee a supervisory plan that shall be submitted to the board and approved within thirty (30) days of the beginning of the supervisory relationship. The plan shall:

(a) Be updated and revised, as needed, and submitted to the board annually;

(b) Include intended format and goals to be accomplished through the supervisory process; and

(c) Include methods that the supervisor and supervisee shall employ to evaluate the supervisory process;

(4) At least semi-annually, have direct observation of the supervisee's work, which may be accomplished through audiotaping, video camera, videotaping, one (1) way mirror, or as a cotherapist;

(5) Have direct knowledge of the size and complexity of the supervisee's caseload;

(6) Limit and control the caseload, as appropriate, to the supervisee's level of competence;

(7) Have knowledge of the therapeutic modalities and techniques being used by the supervisee;

(8) Have knowledge of the supervisee's physical and emotional well-being if it has a direct bearing on the supervisee's competence to practice; and

(9) Submit a completed KBADC Form 7, Supervision Evaluation, within thirty (30) days of termination of a ~~[peer support specialist]~~ supervisory agreement.

Section 9. If the supervisee is a peer support specialist, the supervisor of record shall:

(1) Jointly establish with the supervisee a supervisory plan that shall be submitted to the board and approved within thirty (30) days of the beginning of the supervisory relationship. The plan shall:

- (a) Be updated and revised, as needed, and submitted to the board annually;
- (b) Include intended format and goals to be accomplished through the supervisory process;
- and
- (c) Include methods that the supervisor and supervisee shall employ to evaluate the supervisory process;
- (2) Review and countersign all peer recovery service plans;
- (3) Review peer recovery notes and correspondence on an as-needed basis to assess the competency of the supervisee to render peer recovery services;
- (4) At least once every two (2) months, have direct observation of the supervisee's work, which may be accomplished through audiotaping, video camera, videotaping, one (1) way mirror or direct observation;
- (5) Have direct knowledge of the size and complexity of the supervisee's caseload;
- (6) Limit and control the caseload, as appropriate, to the supervisee's level of competence;
- (7) Have knowledge of the methods and techniques being used by the supervisee;
- (8) Have knowledge of the supervisee's physical and emotional well-being if it has a direct bearing on the supervisee's competence to practice; and
- (9) Submit a completed KBADC Form 9, Supervision Evaluation for Peer Support Specialist, within thirty (30) days of termination of a peer support special supervisory agreement.
- Section 10. (1) The supervisee shall:
- (a) Keep the supervisor adequately informed at all times of his or her activities and ability to function; and
- (b) Seek consultation from the supervisor, as needed, in addition to a regularly-scheduled supervisory session.

1 (2) The supervisee shall:

2 (a) Participate with the supervisor in establishing supervisory goals and in completing the
3 regular supervisory reports;

4 (b) Be jointly responsible with the supervisor for ensuring that a supervisory report or plan
5 has been sent to the board, in accordance with the reporting schedule established in Section 6(1)
6 of this administrative regulation; and

7 (c) Report to the board an apparent violation on the part of the supervisor.

8 (3) Except as provided in Section 11 of this administrative regulation, a supervisee shall
9 not continue to practice alcohol and drug counseling or peer support services if:

10 (a) The conditions for supervision set forth in the supervisory agreement are not followed;

11 (b) There is a death or serious illness of the board-approved supervisor that results in the
12 supervisor not being able to provide supervision; or

13 (c) The supervisory agreement is terminated by the board, the board-approved supervisor,
14 or the supervisee for any reason other than the extenuating circumstances that allow temporary
15 supervision in Section 11 of this administrative regulation.

16 Section 11. Temporary Supervision. (1) In extenuating circumstances, if a supervisee is
17 without supervision, the supervisee may continue working up to sixty (60) calendar days under the
18 supervision of a qualified mental health provider as defined by KRS 202A.011(12), a certified
19 alcohol and drug counselor, or a licensed clinical alcohol and drug counselor while an appropriate
20 board-approved supervisor is sought and a new supervisory agreement is submitted to the board.
21 Extenuating circumstances include situations such as death or serious illness of the board-approved
22 supervisor, a leave of absence by the supervisor, the termination of the supervisor's employment,

or termination of the supervisory agreement except for a violation of KRS 309.080 to 309.089, or 201 KAR Chapter 35.

(2)(a) Within ten (10) days of the establishment of the temporary supervisory arrangement, the supervisee shall notify the board of the extenuating circumstances that have caused the supervisee to require temporary supervision.

(b) The supervisee shall submit, in writing, a plan for resolution of the situation within thirty (30) calendar days of the establishment of the temporary supervisory arrangement.

(c) The written plan shall include:

1. The name of the temporary supervisor;

2. Verification of the credential held by the temporary supervisor;

3. An email address and a postal address for the temporary supervisor and the supervisee;

and

4. A telephone number for the temporary supervisor.

(3) The temporary supervisory arrangement shall expire after sixty (60) days of the establishment of the temporary supervisory arrangement.

(4) To avoid the expiration of a temporary supervisory arrangement:

(a) A temporary alcohol and drug counselor shall submit a completed KBADC Form 3, Supervisory Agreement; or

(b) A peer support specialist shall submit a completed KBADC Form 6, Peer Support Specialist Supervisory Agreement.

Section 12. Identification of Provider and Supervisor of Record. The actual deliverer of a service shall be identified to the client, and the client shall be informed of the deliverer's credential and name of supervisor of record. ~~[A billing for a rendered service shall identify which service~~

1 ~~was performed by the registered alcohol and drug peer support specialist, applicant as a certified~~
2 ~~alcohol and drug counselor, licensed clinical alcohol and drug counselor associate, or other~~
3 ~~provider who is supervised by the board approved supervisor of record.]~~

4 Section 13. Supervision of a Disciplined Credential Holder. (1) The board shall appoint an
5 approved supervisor to supervise a disciplined credential holder for the period of time defined by
6 the board and a member of the board to serve as a liaison between the board and the appointed
7 supervisor.

8 (2) The disciplined credential holder shall be responsible for paying the fee for supervision.

9 (3) The supervisor shall have completed the board-sponsored~~[approved]~~ training course in
10 supervision.

11 (4) The supervisor shall:

12 (a) Review the originating complaint, agreed order, or findings of the disciplinary hearing;

13 (b) Meet with the disciplined credential holder and the board liaison to:

14 1. Summarize the actions and concerns of the board;

15 2. Review the goals and expected outcomes of supervision submitted by the board liaison;

16 3. Develop a specific plan of supervision approved by the board; and

17 4. Review the reporting requirements that shall be met during the period of supervision;

18 (c) Meet with the disciplined credential holder at least weekly, on an individual face-to-
19 face basis for a minimum of one (1) hour unless modified by the board;

20 (d) Submit a quarterly report to the board which reflects progress, problems, and other
21 information relevant to the need for board-mandated supervision;

22 (e) Make all reasonable efforts to insure that the disciplined credential holder's practice is
23 in compliance with KRS 309.080 to 309.089, and 201 KAR Chapter 35;

(f) Report to the board any apparent violation on the part of the disciplined credential holder;

(g) Immediately report to the board in writing a change in the ability to supervise, or in the ability of the disciplined credential holder to function in the practice of peer recovery support or the practice of alcohol and drug~~[substance use disorders]~~ counseling in a competent manner;

(h) Review and countersign assessments, as needed or appropriate;

(i) Review and countersign service or treatment plans, as needed or appropriate;

(j) Have direct observation of the disciplined credential holder's work on an as-needed basis;

(k) Have direct knowledge of the size and complexity of the disciplined credential holder's caseload;

(l) Have knowledge of the therapeutic methods, modalities, or techniques being used by the disciplined credential holder; and

(m) Have knowledge of the disciplined credential holder's physical and emotional well-being if it has a direct bearing on the disciplined credential holder's competence to practice.

(5) The supervisor shall control, direct, or limit the disciplined credential holder's practice to ensure that the disciplined credential holder's practice is competent.

(6) The supervisor shall contact the board liaison with any concern or problem with the disciplined credential holder, his or her practice, or the supervision process.

(7) A final meeting shall be scheduled within thirty (30) days of the end of the established supervision period to summarize the supervision. The meeting shall include the supervisor, disciplined credential holder, and board liaison. A written summary of the supervision shall be

submitted by the supervisor to the board two (2) weeks following this meeting with a copy to the board liaison.

Section 14. ~~[Graduate Students in Programs Emphasizing Substance Use Disorders Counseling. Graduate level students in programs that emphasize alcohol and drug counseling who are providing services in health care settings that provide alcohol and drug counseling including independent practice settings shall:~~

~~(1) Be supervised by a licensed clinical alcohol and drug counselor or certified alcohol and drug counselor;~~

~~(2) Be registered for practicum credit on the transcript in his or her course of study;~~

~~(3) Clearly identify their status as unlicensed trainees in the field of alcohol and drug counseling to all clients and payors;~~

~~(4) Give to all clients and payors the name of the supervising licensed clinical alcohol and drug counselor or certified alcohol and drug counselor responsible for the student's work; and~~

~~(5) Not accept employment or placement to perform the same or similar activities following the completion of their university sanctioned placement, regardless of the job title given, unless the student holds a certificate or license from the board.~~

~~Section 15.]~~ Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "KBADC Form 3, Supervisory Agreement", March 2021~~[June 2015]~~;

(b) "KBADC Form 4, Request~~[ReOequest]~~ to Provide Supervision", March 2021~~[June 2015]~~;

(c) "KBADC Form 6, Peer Support Specialist Supervisory Agreement", March 2021~~[June 2015]~~;

1 (d) "KBADC Form 7, Supervision Evaluation", March 2021~~[June 2015]~~;

2 (e) "KBADC Form 8, Peer Support Specialist Verification of Supervision", March
3 2021~~[June 2015]~~;

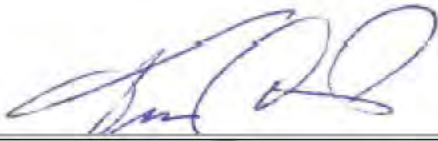
4 (f) "KBADC Form 9, Supervision Evaluation for Peer Support Specialist", March
5 2021~~[September 2017]~~;

6 (g) "KBADC Form 13, Verification of Clinical Supervision", March 2021~~[June 2015]~~; and

7 (h) "KBADC Form 14, Supervision Annual Report", March 2021~~[June 2015]~~.

8 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
9 law, at the Kentucky Board of Alcohol and Drug Counselors, 500 Mero St, 2 SC 32~~[911 Leewood~~
10 ~~Drive]~~, Frankfort, Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m. The board's Web site
11 address is: <https://adc.ky.gov>.

201 KAR 35:070
READ AND APPROVED:



February 25, 2021

Tim Cesario
Chair, Kentucky Board of Alcohol and Drug
Counselors

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held at 9:00 AM on May 24, 2021 at 500 Mero Street, 127CW, Frankfort, Kentucky 40601. In the event the building is not open to the public on May 24, 2021, including if the declared State of Emergency in Executive Order 2020-215 and the State of Emergency Relating to Social Distancing in Executive Order 2020-243 are not rescinded by May 24, 2021, this hearing will be held by video teleconference, in which event members of the public wishing to attend may utilize the following link:

<https://us02web.zoom.us/j/88015845024?pwd=WnhsNmR3SGJwRXM0YktrM1psbkVxZz09>
Password: 203666

Or Telephone:

Dial:

USA 713 353 0212

USA 8888227517 (US Toll Free)

Conference code: 995892

Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on May 31, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

Contact Person: Kevin R. Winstead

Title: Commissioner, Department of Professional Licensing

Address: 500 Mero Street, 237CW, Frankfort, Kentucky 40601

Phone: +1 (502) 782-0562

Fax: +1 (502) 564-4818

Email: KevinR.Winstead@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 201 KAR 35:070

Contact Person: Kevin R. Winstead

Phone: +1 (502) 782-0562

Email: KevinR.Winstead@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the procedure to obtain supervision for registration, certification, and licensure.

(b) The necessity of this administrative regulation: The necessity of this regulation is to establish the procedure to obtain supervision.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations regarding the requirements for supervision for registration, certification, and licensure.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation will assist in defining the expectations of the board; providing the board with more oversight, and establishing the procedure to obtain supervision.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment will change the existing administrative regulation by: (1) removing the 300-hour requirement for supervision for clinical supervision; (2) deleting the twelve (12) core functions; (3) replacing the twelve (12) core functions with the four (4) domains; (4) clarifying how much supervision is needed based on high level of education obtained; (5) stating that supervision that exceeds two (2) hours in a single day shall be accompanied by a written explanation justifying the length of supervision; (6) clarifying that only applicants who currently possession a certification as a certified alcohol and drug counselor can apply supervision received prior to February 5, 2016 to the required hours of supervision; (7) updating the requirements to become a supervisor to conform with KRS 309.083(3) (effective March 1, 2021), 309.0831(3) (effective March 1, 2021), 309.0842 (effective March 1, 2021), and 309.085 (effective March 1, 2021); (8) increasing the number of supervisees a supervisor may have from twelve (12) to twenty-five (25); (9) requiring that a supervisee's supervisor receive a copy of any complaint filed against a supervisee; (10) adding requirements to the supervision forms; (11) adding the two new credential to the list of those who need supervision; (12) deleting language regarding billing from Section 12; (13) deleting language dealing with graduate students as outside the scope of the board's authority; (14) updating the board's address; and (15) adding the board's Web site address.

(b) The necessity of the amendment to this administrative regulation: The amendments are necessary to expand since new credentials have been established in the last legislative session and provide the board with more oversight of the supervision process of an applicant or licensee.

(c) How the amendment conforms to the content of the authorizing statutes: The regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations regarding the requirements for supervision for registration, certification, and licensure.

(d) How the amendment will assist in the effective administration of the statutes: This regulation will assist in defining the expectations of the board; providing the board with more oversight, and establishing the procedure to obtain supervision.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The board is unable to determine the exact number of persons who would be impacted by this regulation since the applications vary from month to month. Future applicants and persons credentialed by the board will be affected by this administrative regulation. As of February 1, 2021 there were 513 licensed clinical alcohol and drug counselors, 21 licensed clinical alcohol and drug counselor associates, 458 certified alcohol and drug counselors, 930 temporary certified alcohol and drug counselors, 95 temporary registered alcohol and drug peer support specialists, and 15 registered alcohol and drug peer support specialists.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: In order to comply with this regulation, supervisees will have to obtain a supervisor and record their hours of supervision. Supervisors will have to apply with the board to become a supervisor.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: In complying with this administrative regulation, some applicants will have to attend training to become a supervisor, this may incur a cost. Most supervisees have to pay their supervisor for supervision.

(c) As a result of compliance, what benefits will accrue to the entities: As a result of compliance, the credential holders and applicants will be able to document the supervision received and provide the board with more oversight during the supervision process.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: Initially, there is no additional cost to the administrative body to implement this administrative regulation.

(b) On a continuing basis: On a continuing basis, there is no additional cost to the administrative body to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The board's operations are funded by fees paid by credential holders and applicants.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There are no increases in fees or funding required to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: There are no new fees or fee increases associated with the amendments.

(9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied as the regulation is applicable to all credential holders. This regulation does not distinguish between similarly situated individuals on the basis of any factor.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 201 KAR 35:070

Contact Person: Kevin R. Winstead

Phone: +1 (502) 782-0562

Email: KevinR.Winstead@ky.gov

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Board of Alcohol and Drug Counselors.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 309.0813(1), (3), (5). 309.083, 309.0831, 309.0832, 309.0833, 309.0841, 309.0842.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This regulation will not generate revenue for state or local government.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This regulation will not generate revenue for state or local government.

(c) How much will it cost to administer this program for the first year? There will be no additional cost to administer this program.

(d) How much will it cost to administer this program for subsequent years? There will be no additional cost to administer this program.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None

SUMMARY OF MATERIAL INCORPORATED BY REFERENC

"KBADC Form 3, Supervisory Agreement", March 2021 is a three (3) page form to be signed by supervisors and supervisees setting for the requirements for supervision.

"KBADC Form 4, Request to Provide Supervision", March 2021 is a two (2) page form that supervisor fills out to become a board-approved supervisor.

"KBADC Form 6, Peer Support Specialist Supervisory Agreement", March 2021 is a three (3) page form to be signed by a supervisor and a peer support specialist needing supervision.

"KBADC Form 7, Supervision Evaluation", March 2021 is a three (3) page form to be completed by a supervisor evaluating the supervisee's performance.

"KBADC Form 8, Peer Support Specialist Verification of Supervision", March 2021 is a one(1) page form to be completed by the applicant and signed by the supervisor documenting direct supervision by a board-approved supervisor for a peer support specialist.

"KBADC Form 9, Supervision Evaluation for Peer Support Specialist", March 2021 is a three (3) page form to be completed by a supervisor of a peer support specialist.

"KBADC Form 13, Verification of Clinical Supervision", March 2021 is a six (6) page form to be completed by supervisors and supervisees recording clinical supervision.

"KBADC Form 14, Supervision Annual Report" March 2021 is a two (2) page form to be filled out by the supervisor every year evaluating the supervisee.

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENC

"KBADC Form 3, Supervisory Agreement", March 2021 is a three (3) page form to be signed by supervisors and supervisees setting for the requirements for supervision. The board made the following amendments to this form: (1) updated the board's address; (2) added new credential; (3) replaced twelve (12) core functions with four (4) domains; and (4) clarified that supervision has to take place two hours two (2) times a month.

"KBADC Form 4, Request to Provide Supervision", March 2021 is a two (2) page form that supervisor fills out to become a board-approved supervisor. The board made the following amendments to this form: (1) updated the board's address; (2) updated statute and regulation citations; (3) updated requirements to become a supervisor as required by statutes that go into effect March 1, 2021; and (4) added new credentials to list of those who could receive supervision.

"KBADC Form 6, Peer Support Specialist Supervisory Agreement", March 2021 is a three (3) page form to be signed by a supervisor and a peer support specialist needing supervision. The board made the following amendments to this form: (1) updated the board's address; (2) added the four (4) domains to the work experience requirement; and (3) clarified that supervision has to take place two hours two (2) times a month.

"KBADC Form 7, Supervision Evaluation", March 2021 is a three (3) page form to be completed by a supervisor evaluating the supervisee's performance. The board made the following amendments to this form: (1) updated the board's address; (2) replaced the twelve (12) core functions with the four (4) domains; and (3) clarified that the recommendation for certification or licensure is only to be completed upon the supervisee's application for certification or licensure.

"KBADC Form 8, Peer Support Specialist Verification of Supervision", March 2021 is a one(1) page form to be completed by the applicant and signed by the supervisor documenting direct supervision by a board-approved supervisor for a peer support specialist. The board made the following amendments to this form: (1) updated the board's address; and (2) added four (4) domains for peer support services.

"KBADC Form 9, Supervision Evaluation for Peer Support Specialist", March 2021 is a three (3) page form to be completed by a supervisor of a peer support specialist. The board made the following amendments to this form: (1) updated the board's address; and (2) clarifying that peer support specialist can only perform recovery support or advocacy not counseling.

"KBADC Form 13, Verification of Clinical Supervision", March 2021 is a six (6) page form to be completed by supervisors and supervisees recording clinical supervision. The board made the following amendments to this form: (1) updated the board's address; (2) added a line for highest level of education achieved because the number of total hours of supervision is dependent on the highest level of education achieved; (3) set out the minimum supervision requirements for each level of education; (4) deleted the twelve (12) core functions and replaced them with the four (4) domains; and (5) removed telephone as an option for method of supervision.

"KBADC Form 14, Supervision Annual Report" March 2021 is a two (2) page form to be filled out by the supervisor every year evaluating the supervisee. The board made the following amendments to this form: (1) updated the board's address; (2) removed different forms of supervision; and (3) clarified that supervision has to take place two (2) hours two times a month.